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October 29, 2002

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Geoff L. Sutcliffe  
FROM

4  
PAGES (WITH COVER)

2712  
REFERENCE NO

36968/177618  
CLIENT/MATTER NO.

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**COMMENTS**

The "Return Receipt" of facsimile transmission of the U.S. Patent and Trademark Office will acknowledge receipt of:

Applicant: William M. Seal et al.

Title: Outside Plant Construction Management Systems and  
Methods

Serial No./Docket No.: 09/151,666 36968/177618

Filing Date 09/11/1998

**PAPERS SUBMITTED:**

1. Form PTO/SB/21 Transmittal Form; and
2. Request for Consideration of Preliminary Amendment.

Date: October 29, 2002  
By: Geoff L. Sutcliffe, Reg. No. 38,348

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PTO/SB/21 (08-00)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |  |                        |                        |
|--|--|------------------------|------------------------|
|  |  | Application Number     | 09/151,666             |
|  |  | Filing Date            | 09/11/1998             |
|  |  | First Named Inventor   | William M. Seal et al. |
|  |  | Group Art Unit         | 2151                   |
|  |  | Examiner Name          | S. Meinecke Diaz       |
| Total Number of Pages in This Submission |  | Attorney Docket Number | 36968/177618           |

**ENCLOSURES (check all that apply)**

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| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Assignment Papers (for an Application)                         | <input type="checkbox"/> After Allowance Communication to Group                            |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Drawing(s)   | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences        |
| <input type="checkbox"/> Amendment / Reply                                   | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final   | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):            |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer  | <input type="checkbox"/> Request for Consideration of Preliminary Amendment                |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund   |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s) _____                                      |  |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application   |   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |  |

Remarks

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OCT 29 2002

**GROUP 3600****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |  |
|-------------------------|--|
| Firm or Individual name | Geoff L. Sutcliffe, Reg. No. 36,348<br>KILPATRICK STOCKTON LLP |
| Signature               | <i>Geoff Sutcliffe</i>   |
| Date                    | 10-29-02   |

**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, fax no. 703.746.7239 on **10/29/02**

|                       |                      |
|-----------------------|----------------------|
| Typed or printed name | Janie Wilkins        |
| Signature             | <i>Janie Wilkins</i> |
| Date                  | 10/29/02             |

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# 6  
10/29/02#  
12/17/02  
ymlIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: William M. Seal et al.

SERIAL NO.: 09/151,666 GROUP ART UNIT: 2151

FILED: September 11, 1998 EXAMINER: S. MEINECKE DIAZ

FOR: OUTSIDE PLANT CONSTRUCTION MANAGEMENT SYSTEMS AND METHODS

ATTORNEY DOCKET NO.: 36968/177618

## CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.10

I hereby certify that this correspondence is being sent to the

United States Patent Office, TC2100, via facsimile, to number (703) 746-7239, on October 29, 2002.

Jamie Wilkins

DATE: October 29, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231REQUEST FOR CONSIDERATION OF PRELIMINARY AMENDMENT  
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Dear Sir:

OCT 29 2002

Official

## GROUP 3600

A Preliminary Amendment was filed in the above-identified patent application on August 16, 1999, which canceled claims 1 to 4 and added new claims 5 to 42. A non-final Office Action was later issued on August 30, 2002, which contained a rejection of claims 1 to 4. This Office Action, however, did not consider the earlier filed Preliminary Amendment.

The Examiner is respectfully requested to withdraw the non-final Office Action and reexamine the patent application in light of the Preliminary Amendment. The undersigned attorney contacted the Patent Examiner on September 16, 2002, and was informed that the new Office Action would be forthcoming. This Request repeats the verbal request and seeks

confirmation that the patent application will be reexamined in light of the Preliminary Amendment.

Respectfully submitted,

  
Geoff L. Sutcliffe  
Reg. No. 36,348

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